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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,126	11/03/2003	Michael A. Lassner	200311849-1	9576

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EXAMINER

HASSAN, AURANGZEB

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/700,126	Applicant(s) LASSNER, MICHAEL A.	
	Examiner Aurangzeb Hassan	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 2, 11, 13, 14 and 20-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-10, 12, 15-19, 24-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-7, 9, 10, 12, 15-19 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US Patent Number 6,494,562 hereinafter "Walker") in view of Maehara (US Publication Number 2004/0125393).

3. As per claims 1, 10, 16, 24 and 27 Walker teaches a method, system, device, and driver comprising:

identifying with a peripheral device (element 10, figure 1) a region code stored on a component (reseller identification stored on element 16, figure 1) installed within the peripheral device (identifying reseller information stored on memory, column 3, lines 6 – 17) the region code identifying a particular region (identifies sales channel for replacement in the particular region, column 4, lines 1 - 18); and

setting a region for the peripheral device to be the region identified by the region code (stores reseller identification, column 4, lines 1 – 18).

Walker fails to teach the particular region being a geographical location.

Maehara analogously teaches a geographical region identified on a peripheral (use information retaining unit retains locality information, paragraph [0059], and further shown in figure 7).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Walker with the above teachings of Maehara. One of ordinary skill would be motivated to make such modifications in order to allow for efficiency in detection and reporting of problems in a peripheral device (paragraph [0009]).

4. Walker modified by the teachings of Maehara as applied in claim 1 above, as per claim 3 Walker teaches a method wherein identifying a region code comprises reading a region code embedded within memory of a print cartridge (cartridge 14, figure 1) that is installed within the peripheral device (region code information store in memory 42, figure 2).

5. Walker modified by the teachings of Maehara as applied in claim 1 above, as per claim 4 Maehara teaches a method wherein setting a geographical region comprises storing the identification region code in device memory of the peripheral device (use information retaining unit is stored on the peripheral device shown in element 1, figure 1).

6. Walker modified by the teachings of Maehara as applied in claim 1 above, as per claims 5, 17 and 25 Walker teaches a method, system and device wherein setting a geographical region comprises locking the region code for the peripheral device such that only components intended for sale in that geographical region can be used with the peripheral device (in printing a locked region of resellers the peripheral is reference to a geographical locality for purchase of replaceable components, column 8, lines 16 – 39).

7. Walker modified by the teachings of Maehara as applied in claim 1 above, as per claims 6, 15, 18 and 26 Walker teaches a method, system and device wherein locking the region code comprises determining the number of pages that have been printed by the peripheral device and locking the region code if the number of pages reaches a predetermined threshold (column 8, lines 40 – 57).

8. Walker modified by the teachings of Maehara as applied in claim 1 above, as per claims 7 and 28 Walker teaches a method and device further comprising providing the region code to a user computer (the information source to the printing system can be a computer, column 4, lines 38 – 43).

9. Walker modified by the teachings of Maehara as applied in claim 1 above, as per claim 8, teaches a method and system further comprising accessing a database on the user computer that cross-references the region code with components available for use with the peripheral device to identify components that can be presented to a user for

purchase (Walker: figure 5 cross-references the regionally resellers available to the user, Maehara: User is presented with important information in regards to services for purchase in reference to components needed repair paragraph [0102]).

10. Walker modified by the teachings of Maehara as applied in claim 1 above, as per claims 9, 12 and 19, Maehara teaches a method and system wherein providing the region code comprises providing the region code to a device driver that executes on the user computer and wherein accessing a database comprises accessing the database with the device driver (Maehara: upon detection of an error the region is update for a user to access via a Web database paragraph [0103-0104]).

Response to Arguments

11. Applicant's arguments, see page 7 of Applicant's Arguments, filed 7/17/2006, with respect to claims 1, 3-7, 9, 10, 12, 15-19 and 24-28 have been fully considered and are persuasive. The rejection of claims 1, 3-7, 9, 10, 12, 15-19 and 24-28 based on the Final Rejection of 5/16/2006 has been withdrawn.

The examiner notes that the applicant amended the claims in order to overcome the First Non-Final Office Action and after removing the finality of from the Final Rejection filed on 5/19/2006 the examiner presents new art necessitated by the applicant's amendment.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

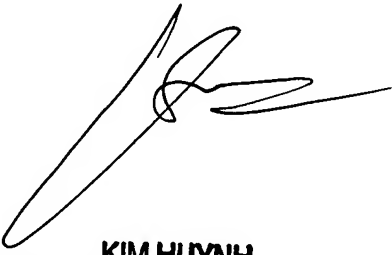
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aurangzeb Hassan whose telephone number is (571)272-8625. The examiner can normally be reached on Monday - Friday 9 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571)272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH



KIM HUYNH
SUPERVISORY PATENT EXAMINER

8/7/06